

THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

ALLERGAN, INC.,

Plaintiff,

v.

GLOBAL SKIN OF P.R., INC.,

Defendant.

Civil No. 05-1219(JAG)

RE:

Trademark Infringement;
False Designations of Origin;
False Representations; Unfair
Competition

AMENDED DEFAULT JUDGMENT

Having entered default against defendant Global Skin of P.R., Inc. ("Global Skin"), notice of entry of default having been given to defendant in accordance with Local Rule 55(a), and the motion for amended default judgment having been mailed to defendant in accordance with Local Rule 55(b), the Court issues the following amended default judgment in favor of plaintiff Allergan, Inc. ("Allergan"):

A. Global Skin, its agents, servants, employees, attorneys, successors, licensees, and assigns, and anyone acting in concert or privity with Global Skin, jointly and severally, are permanently enjoined:

1. from using the BOTOSKIN name or any other similar term or terms likely to cause confusion,
2. from infringing Allergan's rights in the BOTOX mark,
3. from using any other trademark, service mark, trade name, corporate name, word or symbol; or doing any other acts likely to induce the belief that Global Skin's commercial activities, products, services or business are Allergan's commercial activities,

products, services or business; or that Global Skin is in any way authorized or sponsored by or connected, endorsed or associated with Allergan or with Allergan's commercial activities, products, services or business, and

4. from unfairly competing with Allergan;

B. Within thirty (30) days after the service on Global Skin of this Default Judgment, Global Skin is ordered to file with the Court and serve on Allergan a report in writing under oath setting forth in detail the manner and form in which Global Skin has complied with the above permanent injunction;

C. Within thirty (30) days after the service on Global Skin of this Default Judgment, Global Skin is ordered to deliver to the Court for impoundment and destruction any and all advertising, brochures, circulars, price lists, signs, banners, business stationery, prints, packages, labels, containers, freights, cartons, receptacles, wrappers, art work, and other materials in its possession or custody or under its control that contain the BOTOSKIN name or otherwise infringe Allergan's BOTOX mark and any other of Allergan's trademarks, service marks or trade name; and

D. Allergan is awarded its costs and attorneys' fees in prosecuting this action.

IT IS SO ORDERED.

In San Juan, Puerto Rico, this 3rd day of May, 2005.

s/ Jay A. Garcia-Gregory
JAY A. GARCÍA-GREGORY
United States District Judge

